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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

RYAN CHOI,

Defendant.

Case No. 2:24-cv-09082

JUDGMENT AS TO DEFENDANT RYAN CHOI

The Securities and Exchange Commission having filed a Complaint and Defendant Ryan Choi (“Defendant”) having entered a general appearance; consented to the Court’s jurisdiction over Defendant and the subject matter of this action; consented to entry of this Judgment without admitting or denying the allegations of the Complaint (except as to jurisdiction and except as otherwise provided herein in section V); waived findings of fact and conclusions of law; and waived any right to appeal from this Judgment:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is permanently restrained and enjoined from violating Section 17(a)(3) of the Securities Act of 1933 (the “Securities Act”) [[15 U.S.C. § 77q\(a\)\(3\)](#)] in the offer or sale of any security by the use of any means or instruments of transportation or communication in interstate commerce or by use of the mails, directly or indirectly:

1 (c) to engage in any transaction, practice, or course of business which
2 operates or would operate as a fraud or deceit upon the purchaser
3 by, directly or indirectly, (i) creating a false appearance or otherwise deceiving any
4 person, or (ii) disseminating false or misleading documents, materials, or information
5 or making, either orally or in writing, any false or misleading statement in any
6 communication with any investor to buy or sell securities of any company.

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as
8 provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also
9 binds the following who receive actual notice of this Final Judgment by personal
10 service or otherwise: (a) Defendant's officers, agents, servants, employees, and
11 attorneys; and (b) other persons in active concert or participation with Defendant or
12 with anyone described in (a).

13 II.

14 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that
15 Defendant is liable for disgorgement of \$1,647,217.00, representing net profits gained
16 as a result of the conduct alleged in the Complaint, together with prejudgment interest
17 thereon in the amount of \$64,818.00, and a civil penalty in the amount of
18 \$115,231.00 pursuant to Section 20(d) of the Securities Act, 15 U.S.C. § 77t(d).
19 Defendant shall satisfy this obligation by paying \$1,827,266 to the Securities and
20 Exchange Commission pursuant to the terms of the payment schedule set forth in
21 section III below.

22 Defendant may transmit payment electronically to the Commission, which will
23 provide detailed ACH transfer/Fedwire instructions upon request. Payment may also
24 be made directly from a bank account via Pay.gov through the SEC website at
25 <http://www.sec.gov/about/offices/ofm.htm>. Defendant may also pay by certified
26 check, bank cashier's check, or United States postal money order payable to the
27 Securities and Exchange Commission, which shall be delivered or mailed to

28 Enterprise Services Center

1 Accounts Receivable Branch
2 6500 South MacArthur Boulevard
3 Oklahoma City, OK 73169

4 and shall be accompanied by a letter identifying the case title, civil action
5 number, and name of this Court; Ryan Choi as a defendant in this action; and
6 specifying that payment is made pursuant to this Final Judgment.

7 Defendant shall simultaneously transmit photocopies of evidence of payment
8 and case identifying information to the Commission's counsel in this action. By
9 making this payment, Defendant relinquishes all legal and equitable right, title, and
10 interest in such funds and no part of the funds shall be returned to Defendant.

11 The Commission may enforce the Court's judgment for disgorgement and
12 prejudgment interest by using all collection procedures authorized by law, including,
13 but not limited to, moving for civil contempt at any time after 30 days following entry
14 of this Final Judgment.

15 The Commission may enforce the Court's judgment for penalties by the use of
16 all collection procedures authorized by law, including the Federal Debt Collection
17 Procedures Act, 28 U.S.C. § 3001 et seq., and moving for civil contempt for the
18 violation of any Court orders issued in this action. Defendant shall pay post
19 judgment interest on any amounts due after 30 days of the entry of this Final
20 Judgment pursuant to 28 U.S.C. § 1961. The Commission shall hold the funds,
21 together with any interest and income earned thereon (collectively, the "Fund"),
22 pending further order of the Court.

23 The Commission may propose a plan to distribute the Fund subject to the
24 Court's approval. Such a plan may provide that the Fund shall be distributed
25 pursuant to the Fair Fund provisions of Section 308(a) of the Sarbanes-Oxley Act of
26 2002. The Court shall retain jurisdiction over the administration of any distribution
27 of the Fund and the Fund may only be disbursed pursuant to an Order of the Court.

28 Regardless of whether any such Fair Fund distribution is made, amounts

ordered to be paid as civil penalties pursuant to this Judgment shall be treated as penalties paid to the government for all purposes, including all tax purposes. To preserve the deterrent effect of the civil penalty, Defendant shall not, after offset or reduction of any award of compensatory damages in any Related Investor Action based on Defendant's payment of disgorgement in this action, argue that he is entitled to, nor shall he further benefit by, offset or reduction of such compensatory damages award by the amount of any part of Defendant's payment of a civil penalty in this action ("Penalty Offset"). If the court in any Related Investor Action grants such a Penalty Offset, Defendant shall, within 30 days after entry of a final order granting the Penalty Offset, notify the Commission's counsel in this action and pay the amount of the Penalty Offset to the United States Treasury or to a Fair Fund, as the Commission directs. Such a payment shall not be deemed an additional civil penalty and shall not be deemed to change the amount of the civil penalty imposed in this Judgment. For purposes of this paragraph, a "Related Investor Action" means a private damages action brought against Defendant by or on behalf of one or more investors based on substantially the same facts as alleged in the Complaint in this action.

III.

Defendant shall pay the total of disgorgement, prejudgment interest, and penalty due of \$1,827,266 in four installments to the Commission according to the following schedule: (1) \$200,000 within 30 days of entry of this Final Judgment; (2) \$542,422 within 120 days of the entry of this Final Judgment; (3) \$542,422 within 240 days of the entry of this Final Judgment; and (4) \$542,422 within 365 days of the entry of this Final Judgment. Payments shall be deemed made on the date they are received by the Commission and shall be applied first to post judgment interest, which accrues pursuant to 28 U.S.C. § 1961 on any unpaid amounts due after 30 days of the entry of Final Judgment. Prior to making the final payment set forth herein, Defendant shall contact the staff of the Commission for the amount due for the final

1 payment.

2 If Defendant fails to make any payment by the date agreed and/or in the
3 amount agreed according to the schedule set forth above, all outstanding payments
4 under this Final Judgment, including post-judgment interest, minus any payments
5 made, shall become due and payable immediately at the discretion of the staff of the
6 Commission without further application to the Court.

7 IV.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the
9 Consent is incorporated herein with the same force and effect as if fully set forth
10 herein, and that Defendant shall comply with all of the undertakings and agreements
11 set forth therein.

12 V.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, solely for
14 purposes of exceptions to discharge set forth in Section 523 of the Bankruptcy Code,
15 11 U.S.C. §523, the allegations in the complaint are true and admitted by Defendant,
16 and further, any debt for disgorgement, prejudgment interest, civil penalty or other
17 amounts due by Defendant under this Judgment or any other judgment, order, consent
18 order, decree or settlement agreement entered in connection with this proceeding, is a
19 debt for the violation by Defendant of the federal securities laws or any regulation or
20 order issued under such laws, as set forth in Section 523(a)(19) of the Bankruptcy
21 Code, 11 U.S.C. §523(a)(19).

22 VI.

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court
24 shall retain jurisdiction of this matter for the purposes of enforcing the terms of this
25 Judgment.
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VII.

There being no just reason for delay, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, the Clerk is ordered to enter this Judgment forthwith and without further notice.

Dated: January 24, 2025,

A handwritten signature in black ink, appearing to read "Stephen K. Wilson", is written over a horizontal line.

UNITED STATES DISTRICT JUDGE

PROOF OF SERVICE

I am over the age of 18 years and not a party to this action. My business address is:

U.S. SECURITIES AND EXCHANGE COMMISSION,
444 S. Flower Street, Suite 900, Los Angeles, California 90071
Telephone No. (323) 965-3998; Facsimile No. (213) 443-1904.

On October 22, 2024, I caused to be served the document entitled **[PROPOSED] JUDGMENT AS TO DEFENDANT RYAN CHOI** on all the parties to this action addressed as stated on the attached service list:

☐ **OFFICE MAIL:** By placing in sealed envelope(s), which I placed for collection and mailing today following ordinary business practices. I am readily familiar with this agency's practice for collection and processing of correspondence for mailing; such correspondence would be deposited with the U.S. Postal Service on the same day in the ordinary course of business.

☐ **PERSONAL DEPOSIT IN MAIL:** By placing in sealed envelope(s), which I personally deposited with the U.S. Postal Service. Each such envelope was deposited with the U.S. Postal Service at Los Angeles, California, with first class postage thereon fully prepaid.

☐ **EXPRESS U.S. MAIL:** Each such envelope was deposited in a facility regularly maintained at the U.S. Postal Service for receipt of Express Mail at Los Angeles, California, with Express Mail postage paid.

☐ **HAND DELIVERY:** I caused to be hand delivered each such envelope to the office of the addressee as stated on the attached service list.

☐ **UNITED PARCEL SERVICE:** By placing in sealed envelope(s) designated by United Parcel Service ("UPS") with delivery fees paid or provided for, which I deposited in a facility regularly maintained by UPS or delivered to a UPS courier, at Los Angeles, California.

☐ **ELECTRONIC MAIL:** By transmitting the document by electronic mail to the electronic mail address as stated on the attached service list.

☒ **E-FILING:** By causing the document to be electronically filed via the Court's CM/ECF system, which effects electronic service on counsel who are registered with the CM/ECF system.

☐ **FAX:** By transmitting the document by facsimile transmission. The transmission was reported as complete and without error.

I declare under penalty of perjury that the foregoing is true and correct.

Date: October 22, 2024

/s/ Stephen T. Kam

Stephen T. Kam

SEC v. Ryan Choi
United States District Court—Central District of California
Case No. 2:24-cv-09082

SERVICE LIST

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